

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PAVEL ZISSU and AISE ZISSU,)
)
)
Plaintiffs,)
)
v.) Case No.: 1:15-cv-02394
)
IH2 PROPERTY ILLINOIS, L.P., a)
Delaware Limited Partnership,) Judge John Z. Lee
)
Defendant.)

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
AN AMENDED COMPLAINT**

NOW COME Plaintiffs, PAVEL ZISSU and AISE ZISSU, (hereinafter referred to as "Plaintiffs"), by and through their attorneys, ANTHONY J. PERAICA & ASSOCIATES, LTD, and move this Honorable Court for leave to file an amended complaint and in support thereof states as follows:

1. On May 22, 2015, the Defendant filed a motion to dismiss Plaintiffs' complaint which is still under advisement and has not yet been ruled upon.
2. While the motion to dismiss has been pending, the parties in this matter issued their First Request for Production of Documents, First Set of Interrogatories and First Requests for Admission to Plaintiffs on July 30, 2015.
3. This Honorable Court granted an extension of time to the parties to respond to the first sets of discovery until October 31, 2015.
4. Plaintiffs timely received the Defendant's responses which contained certain information that was clarified during a settlement status meeting with Magistrate Judge Kim on

November 12, 2015. The information gleaned during that meeting revealed additional defendant entities.

5. Pursuant to Rule 15(b) of the Federal Rules of Civil Procedure, a party may amend its pleading only with . . . the court's leave. The court should freely give leave when justice so requires.

6. The addition of Defendants should be allowed in the interest of justice and prior to a decision being made on the motion to dismiss.

WHEREFORE, the Plaintiffs, PAVEL ZISSU and AISE ZISSU, respectfully request that this Honorable Court:

- a. Grant Plaintiffs leave to file their first amended complaint;
- b. Postpone the decision of Defendant IH2 Property Illinois, L.P.'s Motion to Dismiss until the additional Defendants answer or otherwise plead; and
- c. For any other relief this Court deems just and equitable.

Respectfully submitted,
PAVEL ZISSU and AISE ZISSU

By: /s/ Anthony J. Peraica
One of Plaintiffs' Attorneys

Attorneys for Plaintiffs

Anthony J. Peraica, Esq., ARDC No. 6186661
Selwyn M. Skevin, Esq., ARDC No. 6305289
Anthony J. Peraica & Associates, Ltd.
5130 S. Archer Ave.
Chicago, Illinois 60632
Phone No. (773) 735-1700

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PAVEL ZISSU and AISE ZISSU,)
)
)
Plaintiffs,)
)
)
v.) Case No.: 1:15-cv-02394
)
)
IH2 PROPERTY ILLINOIS, L.P., a)
Delaware Limited Partnership,) Judge John Z. Lee
)
)
Defendant.)

ORDER

This matter coming before the Court on the Plaintiffs' Motion for Leave to File an Amended Complaint, the parties being in agreement and the Court being duly advised in the premises;

IT IS HEREBY ORDERED:

1. The Plaintiffs' Motion for Leave to File Their First Amended Complaint is granted;
2. The Defendant's Motion to Dismiss will remain under advisement until the additional Defendants answer or otherwise plead.

ENTERED:

By: _____

 Judge Date

Attorneys for Plaintiffs

Anthony J. Peraica, Esq., ARDC No. 6186661
Selwyn M. Skevin, Esq., ARDC No. 6305289
Anthony J. Peraica & Associates, Ltd.
5130 S. Archer Ave.
Chicago, Illinois 60632
Phone No. (773) 735-1700